

MESSAGE NO: 6044118 MESSAGE DATE: 02/13/1996

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5027111
MESSAGE #
(s):

CASE #(s): C-201-003

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/23/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERAMIC TILE FROM MEXICO (C-201-003)

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CASES: C - 201 - 003

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PERIOD COVERED: 04 23 1995 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: LIQUIDATION INSTRUCTIONS FOR CERAMIC TILE FROM
MEXICO (C-201-003)

1. ON AUGUST 9, 1995, THE DEPARTMENT OF COMMERCE ANNOUNCED THE REVOCATION OF THE COUNTERVAILING DUTY ORDER ON CERAMIC TILE FROM MEXICO (C-201-003) FOR ENTRIES MADE ON OR AFTER JANUARY 1, 1995. PURSUANT TO THE COURT OF APPEALS FOR THE FEDERAL CIRCUIT'S (THE CAFC'S), DECISION IN CERAMICA REGIOMONTANA, S.A. V. UNITED STATES, CT. NO. 95-1026, (SEPTEMBER 6, 1995), (THE CONCLUSION OF LITIGATION INVOLVING THE 1986 REVIEW PERIOD OF THIS ORDER), THE DEPARTMENT OF COMMERCE IS NOW AMENDING THE REVOCATION OF THE COUNTERVAILING DUTY ORDER ON CERAMIC TILE FROM MEXICO TO BE EFFECTIVE APRIL

23, 1985, INSTEAD OF JANUARY 1, 1995. ACCORDINGLY, YOU ARE INSTRUCTED TO LIQUIDATE ALL OUTSTANDING ENTRIES OF CERAMIC TILE FROM MEXICO EXPORTED ON OR AFTER JANUARY 1, 1986 AND ON OR BEFORE DECEMBER 31, 1986 THAT WERE MANUFACTURED BY CERAMICA REGIOMONTANA, S.A., (C-201-003-056), CERAMICAS Y PISOS INDUSTRIALES DE CULIACAN, S.A. DE C.V., (C-201-003-055), AND INDUSTRIAS INTERCONTINENTAL, S.A., (C-201-003-057), THAT REMAINED UNLIQUIDATED AT THE CLOSE OF BUSINESS ON FEBRUARY 2, 1995, AND ASSESS COUNTERVAILING DUTIES AT ZERO PERCENT. INSTRUCTIONS FOR ADDITIONAL PERIODS WILL BE FORTHCOMING AS THE COURT ADVISES.

2. WITH THE COMPLETION OF THIS LITIGATION, THE EARLIER MESSAGE #5027111 DATED JANUARY 27, 1995, STAYING THE LIQUIDATION OF ANY ENTRIES OF CERAMIC TILE FOR CERAMICA REGIOMONTANA, S.A., (C-201-003-056) CERAMICA Y PISOS INDUSTRIALES DE CULICAN, S.A. (C-201-003-055) AND INDUSTRIALES INTERCONTINENTAL, S.A. (C-201-003-057), EXPORTED ON OR AFTER JANUARY 1, 1986 AND ON OR BEFORE DECEMBER 31, 1986, IS NOW LIFTED.
3. IMPORTS COVERED BY THE ORDER WERE SHIPMENTS OF MEXICAN CERAMIC TILE, INCLUDING NON-MOSAIC, GLAZED, AND UNGLAZED CERAMIC FLOOR AND WALL TILE. DURING THE REVIEW PERIOD, SUCH MERCHANDISE WAS CLASSIFIABLE UNDER THE HARMONIZED TARIFF SCHEDULE ITEM NUMBERS 6907.10.0000, 6907.90.0000, 6908.10.0000, AND 6908.90.0000.
4. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE

RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROAGRAMS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT GAYLE LONGEST AT (202) 482-2786, OFFICE OF COUNTERVAILING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party